

**RECEIVED
CENTRAL FAX CENTER****NOV 14 2006****PATENT****Filed: October 5, 2001****CASE NO.: 50P4257.03****Serial No.: 09/972,760****November 14, 2006****Page 2**

upon verification of proper operation appears to be incorrect, because nothing in the relied-upon portions of the reference mention verifying anything, much less as a condition for providing a number. Instead, the element 9 simply provides, apparently as a package, communication conditions together with a subscriber number.

For convenience, here is what Hanawa et al. states regarding the relied-upon elements 9 and 10, which in fact make several points favorable to Applicant's position:

"The identifying means 9 of the buffer unit 7 identifies the communication conditions such as the radio frequency and the control channel for the connection, and also identifies the subscriber's number and the like. The communication conditions and the subscriber's number identified by the identifying means 9 are transmitted to the communication unit body 1 via the control signal transmitting means 10. The communication control part 4 of the communication unit body 1 changes the communication conditions to those conforming to the communication conditions of the portable telephone 8 or, converts the communication conditions. Accordingly, it is possible to use the portable telephone 8 as an automobile telephone. In this case, the communication is made using the subscriber's number of the portable telephone 8, so that the accounting is made to the subscriber of the portable telephone 8. On the other hand, if the communication is made using the subscriber's number of the automobile telephone, that is, the communication unit body 1, the accounting is made to the subscriber of the automobile telephone", Hanawa et al., col. 9, lines 48-68.

Leaving aside for the moment whether "changing the radio frequency and the control channel" is or is not the same thing as "changing formats", the relied-upon portion of Hanawa et al. explicitly teaches that the frequency and control are changed as necessary to match the wireless telephone 13, used as the claimed "wireless module." Nothing is stated that this is done only after making a determination of anything, much less making a determination that the wireless module provides proper operation in an

1168-105.AM2

BEST AVAILABLE COPY

CASE NO.: 50P4257.03
Serial No.: 09/972,760
November 14, 2006
Page 3

PATENT
Filed: October 5, 2001

intended area, much less still that instead of changing frequency and channel upon such an untaught determination, something different - the storage of a mobile station ID number - is accomplished.

Accordingly, the allegation on page 5 of the Office Action (relying on Hanawa et al., figure 6, elements 9 and 10, the disclosure of which is repeated above) that a mobile identification number is stored to the relied-upon wireless phone upon determination of proper operation simply is wrong with respect to Claims 1 and 17. Furthermore, with particular respect to Claim 1 it is incomplete, because it declines to address the "only" limitation of Claim 1. With respect to Claim 11, the rejection nowhere alleges (because it cannot) that use of a single phone number with both formats is taught or suggested in Hanawa et al. Indeed, more likely the opposite: "communication is made using the subscriber's number of the portable telephone 8, so that the accounting is made to the subscriber of the portable telephone 8. On the other hand, if the communication is made using the subscriber's number of the automobile telephone, that is, the communication unit body 1, the accounting is made to the subscriber of the automobile telephone", id.

Turning now to the question of multiple formats, as opposed to multiple frequencies/control channels, it appears to be the examiner's position that more is required than a frequency to make a format because he refers to col. 3, lines 9-13 consistently throughout the Office Action as a teaching of first and second formats. What is telling is that this part of Hanawa et al. is a background discussion that simply observes that one wireless system might use analog and another might use digital. It nowhere contemplates that the ensuing invention be used in some way to use both with a single device. Accordingly, the relied-upon teaching of multiple formats in Hanawa et al. is nowhere tied in to the subsequently relied-upon components of Hanawa et al. in the rejection, depriving the rejection of the cohesiveness required for legitimacy.

116-105.AM2

RECEIVED
CENTRAL FAX CENTER

NOV 14 2006

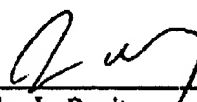
CASE NO.: 50P4257.03
Serial No.: 09/972,760
November 14, 2006
Page 4

PATENT
Filed: October 5, 2001

The fact that Applicant has focussed its comments distinguishing the present claims from the applied references and countering certain rejections must not be construed as acquiescence in other portions of rejections not specifically addressed.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,



John L. Rogitz
Registration No. 33,549
Attorney of Record
750 B Street, Suite 3120
San Diego, CA 92101
Telephone: (619) 338-8075

JLR:jg

11GB-105.AM2

BEST AVAILABLE COPY